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[WHOLE No. 177.

## CONGRESSIONAL DOCUMENT.

### DEFENCE OF THE WESTERN FRONTIER.

[Concluded.]

G.

*Major General Gaines's views in reference to a national system of railroads.*

HEAD QUARTERS, WESTERN DEPARTMENT,  
Memphis, Tenn., Feb. 20, 1835.

SIR: Having examined and duly considered the project of the general regulations for the army, contained in the Blue Book transmitted by you for my examination, I have the honor to report, for the information of the proper authorities, the views and suggestions which follow.

It has been said by men of profound wisdom, and particularly those well versed in the "knowledge of man," that elections, however objectionable, as in most cases they are, by the rank and file of an army, would seldom fail to produce the best of officers for command in battle, if such elections were held only in the presence of a powerful enemy, or when a great battle might be momently expected, because, in this case, every man capable of being brought to a right view of the momentous occasion would have his judgment strengthened and matured by the presence, or expected near approach, of a brave and skilful foe, where the most interesting anticipation which could possibly occupy the mind and heart of a true soldier would be in the prospect before him of a glorious victory for his beloved country, in the event of his doing his duty honestly and faithfully: first, in the pending election, and then on the field of battle. Hence he would be duly impressed with the importance and propriety of selecting, not the man who would give the best barbecue, or the most wine or whiskey, or who had proven himself to be most adroit in the arts of a party politician; but the man who had in battle, or in preparation for battle, given the most irrefragable proofs of his fitness for command, and that he is best qualified to beat the enemy at the least possible expense of blood and treasure.

The same in substance may be said of military laws or regulations. These, to be in the highest degree perfect, should be enacted or compiled only in the presence or expected near approach of an enemy, or, at least, with an immovable eye to a state of war, and to nothing else but a state of war; for the laws and regulations best adapted to a state of war cannot but be best adapted to a state of peace, because the great and only object of creating and maintaining an army, and most other means of national defence, is to keep the peace, or to be ready on the sudden change from peace to war, and on the consequent sudden attack of a vigilant and skilful foe, to be in all things ready to meet and conquer the invader; to be ready on a sudden change from peace to war. Hitherto, year after year was allowed to pass away between the time at which something more than a speck of war was seen in our political horizon, and the time at which war was formally declared. The great, and, to us, glorious discovery that steam power may be successfully employed in accelerating the movements of all the destructive elements of war, by sea and by land, will contribute to render this great change from peace to war instantaneous.

And though steam power may contribute to bring into our seaports European fleets and armies, with their cannon, charged with declarations of war, of which we may have had no previous notice, yet we have the gratification to know that, by availing our-

selves of our natural advantages in the countless resources of our country, we have it in our power, at a moderate expense, and by means that will fill the public coffers, and in a few years of peace repay the expense of the war with compound interest, to hold in our own hands, if we are wise and just, the incontestable issue of war.

This can be accomplished to a great extent by the army being required to act upon the principle, *in peace prepare for war*. For this purpose a change in the organization of the army is desirable, if not indispensable. But a change in the regulations will do much, even in the present year, towards the speedy attainment of the object in view.

If we were sure that war would not again visit our happy land during the present century, my objections to the new project of regulations, with the changes I would propose, might be expressed in a dozen lines; I should, in that case, attempt to show, not that brevetted officers of the line of the army should or should not be regulated out of service, but that they might be disposed of as the national Legislature might enact or authorize; and that the companies of artillery and infantry should be placed on duty in the Engineer, Ordnance, and Quartermaster's departments, to be employed in the construction of public works: such as railroads leading from the central States and interior districts to the most exposed sections of the national frontier; fortifications, armories, and arsenals; and to aid in the construction of steam engines, locomotives, and other railroad equipments, with arms and ordnance supplies for our fortifications, and for arming the whole of the militia of the United States; for if the spirit of war could possibly be checked during the coming period of sixty years, a period destined to add to our population near six times our present numbers, and to our wealth probably ten times as much as we at present possess, we shall not be without inducements to war, nor without powerful rival neighbors to kindle its flames, so long smothered, or withheld from us. The labor of the artillery and infantry thus employed would, in so long a period of peace, contribute to put the nation in a state of defence in accordance with the immense change which steam power must necessarily produce in military operations, and by works which would, in that period of time, repay to the treasury every dollar expended in the construction of those works; whilst contrary to all past experience in measures of national defence, they would contribute to the convenience, wealth, and prosperity, of the citizens of every section of the country through which they shall be constructed.

But we may be forced into a war in the course of the present or next year; possibly, indeed, in the next two or three months. If so, we cannot be prepared for the convenient reception of a very large army, sustained by a fleet superior to our own, aided, as they doubtless will be aided, by every practicable application of steam power. Our fortifications are, to a great extent, unarmed; nor have we, during the last twenty years of peace, constructed any one good road, whereby we can possibly move our men and our heavy ordnance and other supplies from our central or western States and districts generally to our Atlantic, northern, southern, or Mexican frontiers, in time to prevent such an army and navy as we may have reason to expect, from paying us a hasty visit, bringing, in the mouths of their cannon, their declaration of war, and pouncing upon many of our unarmed fortifications, and rendering them available against us. How are these apparent evils to be guarded against?

I pledge my honor and my life to show to the satisfaction of every candid man of military mind, the most feasible and effectual means hitherto known or published of guarding against those evils, or of promptly remedying them, should they occur; means which may to a great extent be put in the progress of execution by the changes which I shall propose in the regulations in question, but which may ultimately require some legislative support.

I propose to leave the western frontier in charge of the regiment of dragoons, to be aided, as occasion may require, by militia details of mounted gunmen, and to place the infantry now on that frontier upon the Mexican and Atlantic seacoast, for artillery service, and for furnishing detachments for engineers and topographical service.

I propose that the attention of the Engineer department be directed to the examination of the country, from the two central States of Tennessee and Kentucky to the five principal grand divisions of the national frontier, for the final location and construction of a railroad to each one of those grand divisions of the national frontier. For example:

1. One from Lexington, Kentucky, through the State of Ohio, to Buffalo, New York, with a branch from the Ohio river, at or near Maysville, to Detroit, Michigan; and another branch to pass by Pittsburgh, Pennsylvania, and from thence to the St. Lawrence river at St. Regis.

2. One from Memphis, Tennessee, through Middle and East Tennessee, and Virginia, to Maryland, there to unite with the railroad leading through Pennsylvania and New York, and those of the New England States, with a branch from Fincastle to Richmond and Norfolk, Virginia.

3. One from Memphis, Tennessee, through North Mississippi and Alabama, to Savannah, Georgia, with a branch through South Carolina and North Carolina, to Fayetteville and Newbern or Wilmington, N. Carolina; with another branch from Macon or Millidgeville to Darien or St. Mary's, Georgia, and St. Augustine.

4. One from Louisville, Kentucky, via Nashville, Tennessee, to Mobile and Pensacola, with a branch to Tallahassee, Florida.

5. One from Memphis, Tennessee, to the head waters of the Sabine, with a branch to go up the valley of the Red river, to Fort Towson; with another branch to go from Little Rock, up the valley of the Arkansas river, to Fort Smith or Fort Gibson.

With these railroads the States of Tennessee and Kentucky, with Ohio, Indiana, Illinois, and Missouri, (the three last of which will soon be, as the two first are, interior States, wholly separated from the frontier,) would be able, on the approach of war, to detach, at one and the same time, to each one of the above designated grand divisions of the national frontier, and within three to four days of the time of their rendezvous at the railroads, an army of two hundred thousand men. This force, moved by steam power on railroads, with the ample supplies that might accompany and daily follow to the aid of their gallant brethren of the States invaded, would more effectually protect the whole people and property of the United States, than if the whole of this force, amounting to one million of men, were equally distributed between, and permanently posted upon, the above designated grand divisions of the national frontier. The expense of this force, in its first movement to the national frontier, with a very limited supply of light ordnance, (heavy ordnance could but seldom, if ever be moved,) over the present miserable roads, would cost twenty-two millions of dollars; whereas the expense of the same force moved on the railroads the same distance would be less than four millions of dollars; making a difference in favor of the railroads of upwards of eighteen millions of dollars in the first movement of the disposable force of these central and western States to the na-

tional frontier; besides a difference as to *time* of nearly *ten to one* in favor of railroads; an advantage often incalculably more precious in war than any that money can purchase. But a more grateful and much more powerful argument in favor of the proposed system of railroads is, that with them the United States would be more effectually defended, by the active employment of the one-tenth part of the proposed disposable force, to co-operate with the minutemen upon the border districts of the States invaded, than by the whole of that force without railroads leading from the central and western States to the national frontier; as with the proposed railroads but a very few corps of the disposable force need ever be called into service, or marched out of the limits of their own States until the enemy shall have selected his principal points of attack and commenced his disembarkation. The forces of the States invaded would be sufficient, with the aid of their own sections of the railroads, to keep the enemy in check until the requisite corps of the disposable force could be drawn from these central or western States, and they would seldom fail to arrive at the point of attack before the enemy could open his trenches, and so far complete his zigzag approaches on the threatened works of defence as to effect a *breach* or attempt an *assault*; consequently, with the proposed railroads, we should, in all human probability, incur less expense of blood and treasure, and sustain less injury, in a war against a million of men, with a thousand ships of war, than without railroads we should probably sustain in a war against one-tenth part of that force.

*To preserve peace we must be prepared for war.*—We must not only be able to show competent force ready for action, but also ample means for promptly concentrating, feeding, arming, and vigorously wielding, that force, whithersoever, an invading foe shall dare to show his face. We must calculate in another war on being attacked at every vulnerable point by a foe of no ordinary prowess, possessing every aid that steam power can give him; and we must not shut our eyes against the irresistible conclusion, that when so assailed by the legions of some new quadruple or holy alliance, we cannot make a prompt movement of our troops and supplies from the great States of the valley of the Mississippi, or from the interior districts of the Atlantic States, in time to save our frontier or fortifications, without the employment of steam power, applied, as our assailants will apply it, to ships of war and floating batteries, and more especially to vehicles of land transportation on railroads.

Why have the most experienced commanders of ancient and modern times, when hastening with their armies and munitions of war from their interior depots to their frontier, to meet an invading foe—why have they submitted to the tardy march of little more than twenty-four miles in twenty-four hours? And why have they failed to employ in their active field operations the heavy ordnance best adapted to the purpose battering down permanent as well as temporary works of defence? And, again, why have they, and why have we, failed to lock up, with large floating batteries of simple and cheap construction, our most vital and vulnerable sea-ports, when menaced by a superior naval force? I answer that, until within the last thirty years, every art and science had been essayed in vain to discover the means of transporting by land from the interior districts, armories, and arsenals, with the requisite celerity for effective field service, ordnance of the most formidable calibre, or other supplies for the efficient operations of an army in the field; and that, until near the close of the Napoleon war, neither Europe nor America possessed the means; or, in other words, they would not be persuaded by ROBERT FULTON and OLIVER EVANS, that they possessed the means developed by these distinguished citizens, of wield-

ing by water, much less by land, with the strength of a mammoth giant and the rapidity of an eagle, every description of cannon and other military supply, necessary to lock up our seaports, and render the whole of our national frontier invulnerable.

Steam power on railroads, as we now understand its use and application, will enable us, without animal power, and at a comparatively trifling expense, to transport with one locomotive, at the rate of twenty to twenty-five miles an hour, or three hundred miles a day, mortars or cannon weighing one hundred and thirty tons, to a distance which it would require five hundred good draught horses fifteen days; or, in other words, \$50,000 worth of draught horses fifteen days to convey this supply of heavy ordnance over our common roads the same distance; whereas, the railroad steam engine, worth but \$6,000, would require but twelve dollars worth of fuel, and fifteen dollars worth of oil, &c., whilst the five hundred horses would require for this fifteen days' trip at least \$2,000 worth of forage; and, moreover, a floating battery that would cost not one-fourth as much as a seventy-four gun ship—a floating battery that would carry two hundred heavy cannon, and would require less depth of water than a sloop of war of the largest class, might be wielded at the rate of eight to ten miles an hour by a tow boat, such as those employed daily on the Mississippi river, between New Orleans and the Balize.

The wisest men of all nations to whose history we have access, have deemed it to be a dictate of political prudence, whenever a subject or citizen had discovered any evident improvement in any branch of the art of war, whether in the construction of a weapon, in a fortification, or in tactics, and especially in the means of facilitating or reducing expense in the movement of troops or munitions of war, to obtain, without loss of time, any and every such improvement. Much pains have been taken, and great expense incurred, to obtain models of improved fire-arms, and gun-carriages, and caissons, with fixed ammunition and implements of various kinds; an improvement in these, by which our arm may be rendered more destructive, or, in other words, more useful; or by which a larger quantity of ordnance or ammunition may be moved with increased celerity or safety, without increasing the expense of animal or other power usually employed, has been deemed a meritorious service; and for such improvements or discoveries, distinguished tokens of public approbation have been awarded to the fortunate subject or citizen who made the discovery. Periods of peace are always most propitious to the attainment of these objects. The proposed improvement in the national defence, by the application of steam power on railroads to vehicles of land transportation, will be found to surpass any other, if not every other, improvement or discovery known to military history. It is in every possible view of the subject so transcendent as to carry conviction to every military mind embracing its manifest bearings and tendencies, that all such will admit that it is destined soon to produce an entire change in the mode and manner of military operations, both in the attack and defence of nations and of places; and that it will produce a more memorable epoch in the art of war than has ever occurred in any one century, if not in any ten centuries, since the earliest dawn of the civilization of man. Railroads leading from the central States to the national frontier of a country like this, with steam power applied to vehicles of land transportation, aided by large floating batteries, constitute the first and only discovery known to man, whereby such a country acting on the principle of self-defence, can, without doubt, and at a moderate expense, and by means that will fill the public coffers, and in a few years of peace repay that expense with compound interest, hold in her own hands for ever, under favor of an overruling Providence, the

incontestable issue of war; any nation of our numerical strength, and military character and resources, availing herself of this discovery, may, if she "be just and fear not," safely assume the attitude of honest defiance towards the armies and navies of Europe, if not of every other quarter of the globe; whilst the most warlike nations, neglecting the use of steam power, with the proposed means of defence, will be found wholly unable to maintain their independence. In this view of the subject, it presses itself upon our attention, not as a matter of choice, but as a matter of necessity, as a measure of self-preservation.

Some nations have been supposed to excel their neighbors in the science of fortification; but experience has proved that to excel in this branch of the art of war has contributed but little, and only for a very short period of time, to give the nation possessing it any very decided or permanent advantage over her enterprising antagonist or rival neighbors. It has been found that the ablest engineers, with the most perfect system of fortification, have failed in the construction of works that could long withstand the regular approaches and the vigorous assaults of a veteran and determined foe, without the assailed having constantly the means of obtaining timely reinforcements, with supplies of subsistence and ammunition from his interior depots. It is obvious, from the military history of Europe, that those nations who have taken care to construct the most approved fortifications have frequently suffered the greatest losses in their wars with nations of equal, or nearly equal, numerical strength. The strongly fortified nation, or commander, confiding overmuch in the supposed invulnerability of his works of defence, has too often committed the fault of relying for his security, not on the skill and disciplined prowess of his troops, but mainly upon the supposed perfection of his fortifications, and the imagined inability of his adversary to reduce them. He thus commits the great fault of remaining within his fortifications. His country thus becomes the theatre of war, which compels him to incur the expense of keeping in service double, or triple, if not ten times more force than his antagonist; because he (the assailant) is left to choose the point of attack and the time of attack, (two immense advantages,) whilst the assailed, without railroads, must be always ready for action at every point, and at all times. His splendid fortifications must all be expensively armed, amply supplied with subsistence and ammunition, and strongly garrisoned. He is constantly anxious, lest his enemy should attack some vulnerable point, and his apprehensions are as constantly realized. The war progresses; his weak points are seen and taken. His prosperous agricultural and manufacturing districts are overrun and laid waste. He is finally compelled to patch up a peace, pay the expense of the war, after having suffered the deep mortification of seeing the war continued for years without the invader having ever once deigned to visit any of the splendid fortifications so much relied on for his destruction.

The proposed system of railroads, on the contrary, will contribute so much altogether to favor the assailed and to oppose to the assailant the insurmountable obstacles of having hurled against him, with a rapidity not to be evaded, all the vital power of the heart of the republic, to the extremities; or, in other words, all the military men and resources of the vast body of the interior States and districts of the country, to the frontiers; that this means of defence will be found to be ten times better adapted than any other hitherto discovered to favor the country whose policy or disposition may induce her to confine herself exclusively to defensive war.

*The only sure means of preventing war is to be prepared for it; not with additional fortifications, which are always expensive, and are useful only in*

war, but with railroads from the centre to the frontier. These, in war, will do incalculably more for the national defence than fortifications, whilst the railroads will, both in war and in peace, enrich every State and Territory through which they shall be constructed; and be more especially a perpetual blessing to the agriculturists, and all who are in any manner employed in cultivating and subduing the earth and developing its countless resources, most of which requires the application of steam power and railroads to convey with cheapness and rapidity productions of unwieldy bulk, or great weight, to profitable markets.

It may be asked, if indeed railroads, with steam power, are destined to be so transcendently formidable in the hands of a nation or an army acting on the defensive, what is to hinder the invading foe, when the fortune of war favors him, from occasionally taking our railroads and other means of conveyance, and turning them against us? I answer, that we may sometimes expect such a reverse of fortune, particularly upon sections of our railroads near the seaboard. I contend, however, that, as means of defence, steam power, applied to vehicles of land transportation on railroads extending from the centre to the frontier of a country like ours, with large floating batteries in our seaports, is incalculably more certain to benefit the nation acting on the principle of self-defence than the invader. But to meet the question more directly, I say, let the invader come; let him for once take possession of our railroads, leading, for example, from Pennsylvania, Maryland, Virginia, the Carolinas, or Georgia, to this place, or to Lexington, Kentucky; let him come as far as he possibly can towards the interior, and he will find himself, as he approaches, surrounded with constantly accumulating difficulties and dangers, from which he will find no means of escape. He will not have cleared the western limit of either of those States before he will find in every hour's march a pass which, if not equal in strength to that of Thermopylae, will not be without a Leonidas, with a force quite equal, man to man, and with weapons better adapted to command success than those of the ancient Grecian hero.

Let the experiment of turning our railroads against us, and thus penetrating the heart of our country, be once attempted, and, my life upon it, the effort will never be repeated.

The capture of Burgoyne, in the State of New York, when principally a wilderness, or with little more than a tenth of its present population, has contributed to relieve us of any similar intrusion. An enemy thus approaching our centre cannot but be morally and physically weakened by every step he takes, until he finds himself surrounded and overpowered by men whose numbers and whose prowess, increasing in an inverse ratio to the panic and despondency of the enemy, must soon tend inevitably to his annihilation.

Upon the organization and employment of the army and militia of the United States, I take leave to refer to my communication of the 2d December, 1826, addressed to Major General Brown, and to another upon the same subject, which I addressed to the Secretary of War, dated November, 1830; and I request they may be considered in connexion with this report. The close and inseparable connexion between the army and the militia of the United States precludes the possibility of any constitutional law or regulation being so framed as to apply exclusively to either, without affecting very materially, if not equally, the other. Their interests can no more be separated than can the privileges and duties of self-government be separated from the privileges and duties of self-defence, on the part of the citizens of the United States in their national character. Hence, I hold it to be my duty to keep in view the militia, as well as the army, in whatever regards the Go-

vernment or interests of either; being perfectly satisfied that a book of regulations, to be perfect or useful, or to be in accordance with the law of the land, must be applicable as well to the militia as the army; and more especially adapted in all respects to a state of war.

Deeply impressed as I am with the melancholy reflection that we have suffered half a century to pass away without doing any thing for the militia, other than to praise them and content ourselves with the reflection that it certainly is practicable to render them in fact what we have long deemed them to be in theory, and what they must be, "the bulwark of our liberty and national independence," and as well calculated for defending as for governing the republic, I hold it to be the bounden duty of every public functionary, and every citizen, to unite in urging the adoption of measures to render the militia as efficient in the national defence, as they are or can be in the discharge of their civil duties. Their organization is without symmetry or efficiency, as is that of the army; they are not fit for war on the sudden approach of war; they are not fitted by proper instruction to measure, in the open field, their strength with a veteran foe, battalion to battalion, or army to army, with a prospect of success; nor can they, without an improved system, calculate on success until they shall have been taught in the school of adversity the most essential duties of the art of war, which should, if possible, be acquired preparatory to the day of battle.

The history of the war of 1812 and 1813, with the known condition of the militia and army at this time, with the impossibility of any considerable improvement under existing laws and regulations, will, I apprehend, bear me out in my present views of the subject. Our system of instruction, as it respects officers of the line of the army, is not calculated to call forth once a month a single effort of the body or the mind, such as should habitually occupy both, in order to familiarize them to the necessary action and effort of physical and mental preparation for war. If this kind of action or effort is not rendered habitual, the officer whose elementary education may have been sufficient to qualify him for the speedy attainment of every kind of knowledge for all the practical duties of a field marshal, (and I am convinced that we have many, probably hundreds of officers, thus promising,) he will be found, on the approach of war, unprepared, or but little better prepared for the practical duties of his station on an active campaign than if he had been half his time, since he left West Point, locked up in a miscellaneous library. He who now devotes his time and attention, month after month, and year after year, only to the showy routine of garrison duty, with reason to apprehend that he may grow gray in the continued performance of garrison duty, will never, except in the absence of the last new novel, and to "kill time," take the trouble to awaken his recollection of the transcendental powers of mathematical science, with which his mind and his library have been stored; and upon which possibly his most important duties in a coming war may be found mainly to depend. These recollections will but seldom, if ever, be awakened in the dull routine of garrison duty, at a military post where there may be but one or two companies, with room and constant occasion for a battalion or regiment, as is now the case with many of our large forts on the seaboard. But when the little detached post happens to be in a wilderness, some 500 or 1,000 miles distant from the probable theatre of any future war in which the regular officer of artillery or infantry would be likely to participate, in a war against any civilized nation, it must be evident that the officer thus situated might honestly and faithfully devote a quarter of a century of his lifetime to such duties, without being prepared for the field of battle against an experienced veteran foe.

I therefore propose that the infantry regiments may be drawn from their present positions on the western frontier, and placed on artillery as well as infantry duty, in the new fortifications on the Gulf of Mexico, the Atlantic seacoast, and the northern frontier.

And in order to perfect the officers and instruct non-commissioned officers and private soldiers in all the practical duties of the service, including every arm, with field fortifications and the construction of railroad and railroad equipments, I propose that one of the principal fortifications within each of the five grand divisions of the national frontier, as proposed in the report, be converted into a military labor school, with the requisite laboratory, foundry, tilt-hammer, and other work-shops adapted to the service.

I propose, moreover, that measures be taken to draw to those military labor schools, by regular details from the junior classes of the militia of the United States, as many students as the laws authorize, or the apparent exigencies of the service may require, with all applicants for office, to serve for three or four years' time, and to do garrison and other duty as a part of their military instruction; and thus, in time, we should be enabled to abandon our present recruiting system, which we have borrowed from England, and too long employed in obtaining drunkards and idlers to fight our battles, and in place of these we should have an army worthy of our institutions.

I propose that these students should be examined and placed on merit-rolls, as at West Point; and assured that they will be called on to fill vacancies, as cadets and non-commissioned officers, as often as such vacancies occur at West Point, as well as in the several regiments throughout the army.

These military labor schools, in addition to filling the vacancies as they occur at West Point, and in every company in the army, would in a few years contribute to supply every State and district in the Union with practical military men and scientific mechanics, qualified to extend through every parish and county the benefits of railroad and other improvements; and, on the approach of war, to aid in the national defence, and prove to an admiring world the great triumph of genius which enables a republic, the representative republic of North America, to be the first nation on the earth capable of demonstrating the practicability of rendering herself impregnable in war; and, by means that will in a few years of peace, repay all the expenses of the war, and contribute more to the prosperity and happiness of all classes of the people than any measure of internal improvement hitherto known to man.

The proposed regulations contain some valuable articles, apparently compiled from the army regulations of some of our European neighbors. It has been often remarked that compilations from European works, when judiciously made, are doubtless well calculated to improve our system and benefit our service.

But when the compiler is without that experience necessary to mature his judgment, his selections from foreign works, or from our own past essays, too often result in the choice of articles of little value, compared with those he rejects or omits. The book of regulations under consideration exhibits strong evidence of the force of this remark. Some of the ablest articles, embracing the most vital principles of military discipline and military law, alike applicable to the armies of all civilized nations, have been in some cases wholly omitted, and in others but partially introduced, by the compiler of this new book; whilst articles comparatively of little or no value are inserted. For example:

The important principle announced to the French army in their regulations, published in the latter part of the last century, and incorporated in our regulations previous to the late war, and afterwards incor-

porated in the 3d and 11th paragraphs of our present book of regulations, announcing the determination of the Government that the non-commissioned officers and private soldiers shall be treated with kindness and humanity; and that their punishment shall be strictly conformable to martial law, and enjoining superiors not to injure those under them by abusive or unbecoming language, or by capricious or tyrannical conduct. This all-important principle, not less dear to the soldier than the "right of trial by jury" is to the citizen, is not to be found in the proposed new book of regulations.

The consequence I apprehend will be, that officers who have been so weak or regardless of the past and existing laws and regulations as without authority to beat and abuse the men placed under them, will come to the conclusion that the omission of the protective principle just now referred to amounts to an abandonment of that principle, and a retraction of all past and existing restrictions prohibiting officers from taking the law into their own hands, and disregarding the rights of the rank and file of the army. Those who have hitherto openly violated the protective law and past regulations with impunity, (and the records of our courts martial show that there are many such officers in service,) will not fail to boast of their triumph over the law, and that their triumph is crowned with the tacit approbation of the War Department. With this impression, and knowing, as I have long known, the sentiments of the President of the United States upon this subject, I feel assured that no such omission will be permitted by that distinguished officer, should he be apprized of the various bearings and tendencies of the subject. The omission of a principle so congenial to our institutions, a principle which shielded the French soldier from outrage during a series of the most brilliant triumphs of French valor known to history, would be sufficient to fix on public functionaries the stigma of having "despaired of the republic," the life and soul of which is mainly comprehended in a political axiom involving the principle which such an omission would tend to violate, viz: to the people of the United States, in their national capacity, belong the privilege of self-government, with the kindred privilege of self-defence; and these privileges are liable to no restriction except by law.

The law which forbids the infliction of stripes and lashes, excepting only for the crime of desertion, and by the sentence of a general court martial, clearly prohibits every other means of inflicting any such punishment.

The omission of this important conservative principle by a compiler of army regulations, who has drawn so largely upon the book of English regulations in matters relating to "honors and salutes" to be paid to "major generals commanding-in-chief," and others, proves clearly that the compiler wants experience and judgment. In making this remark, I have to state that I have no information or suspicion as to who the compiler may be.

The compiler appears to have directed the principal force of his ingenuity and sophistry against brevetted officers or brevet rank; as if the great end and aim of his labor was in effect to expunge from the statute book, and forever extinguish, the remains of all that is grateful or interesting to the war-worn soldier in this class of military authority and honorary reward for past services.

The proposed regulations upon this subject are alike repugnant to law and justice, as the facts and views which follow will show: Brevets are authorized by an act of Congress, which has never been repealed or superseded, (see the 4th section of the act of the 6th July, 1812,) and which authorizes officers so brevetted to command separate posts, districts, and detachments, and to receive, while in such commands, the same pay and emoluments to which officers of the same grades were then, or thereafter

may be, entitled. A subsequent act of Congress (April 16, 1818) confirms in a more imperative form the provisions of the act of July 6, 1812, requiring that officers of the army, who have brevet commissions, shall be entitled to receive the pay and emoluments of their brevet rank, when on duty, and having a command according to their brevet rank, and at no other time.

This law, then, provides that no brevet commission shall thereafter be conferred but by and with the advice and consent of the Senate.

The first question that arose under this law (a question which I met promptly as soon as the opportunity was allowed me to act under the law) was: What is a command according to brevet rank? I replied, in substance, as follows: We must go back to former laws upon the subject, no matter whether they have been repealed or are still in force, to find what was formerly "a command according to brevet rank." In the present case, I added, go back to an unrepealed law, namely, that of the 6th July, 1812, which shows clearly what was a command according to brevet rank: No! No! replied the Secretary of War, that will never do; it will give too many of the brevet officers commands, and take too much money out of the Treasury. I contended, and I do still contend, that this is a reason that would never be alleged in a state of war, and ought not in a state of peace; that the officer who does his duty faithfully for ten years in the same grade, or the officer who plucks for his country the precious fruits of victory from the mouths of her invaders' cannon, is entitled to the additional allowance which she has so kindly offered, and that no public functionary could withhold it without an act of great injustice. I contended, moreover, and I do still contend, that when a brevetted officer finds himself on duty, and in the position or situation prescribed by law, no power in this nation can without a violation of law, deprive him of the exercise of the command so designated; that he takes the command and exercises it precisely upon the same principle that the lieutenant commands a company, the lieutenant colonel a regiment, or the brigadier general a division, in the event of the fall in battle or the casual absence of the usual head of the company, regiment, brigade or division; with this difference in favor of brevet commands, the law designates these more expressly than it designates the proper command of the lieutenant, or that of the lieutenant colonel. A brevet command as it respects the numerical force, consists, as does any other description of command, of any number over and above the proper command of the officer next in rank present on duty; any number over a company is a proper command for a major, because a company is a proper command for a captain; and inasmuch as a regiment is the proper command for a colonel, any force over and above a regiment is a proper command for a brigadier general; and, finally, a brigade, or any force including more than one and not exceeding two regiments, is the proper command for a brigadier: consequently, when the force of a post, detachment, or a district, (or department,) consists of more than two regiments, it is a proper command for a major general, whether by brevet or otherwise.

From these provisions of the law, it would seem just and reasonable that it was the intention of the national legislature that the officer honored with spontaneous token of the approbation of his country was to be considered by the great public functionaries of the Federal Government, even after the return of peace, not as the mock champion of the afterpiece of a comedy or tragedy, to be tricked off with plumes and a galaxy of stars, for the idle votaries of sport to gaze at; but as a responsible member of the army, holding himself always ready and willing to lay down his life in defense of his country; a responsible member of the army, endowed with as full and as perfect powers and privileges as any other public functionary, being

equally fixed and settled by law, and not left liable to be outraged by the whims or caprices, prejudices or passions, of the votaries of intrigue, party management, or favoritism.

When these tokens of public approbation were conferred on me, and on those whom I had the honor to command, they were in some cases promptly followed by resolutions conferring the highest honors, and expressive of the full and perfect approbation of a national legislature and an executive as distinguished for wisdom and virtue, and respect for the laws of the land, as any other legislature or executive known to the annals of the present century. At that time it was not deemed wrong nor unlawful for my brethren in arms and myself to have command according to our brevet rank, pursuant to the construction which I have given of the law. It was deemed proper, without any solicitation on my part, to place me in the command of a division, with the complete staff of a division: an adjutant general, a quartermaster general, an inspector general, a hospital surgeon, and two aids-de-camp. I cannot but recollect with gratitude to Heaven, and joy to my country, that these tokens of high approbation were awarded at a time when our country was cheered with sanguine hopes that the marked events which the Federal Government had seen fit by their resolutions to commemorate, would promptly contribute to terminate the afflictive evils of a disastrous war, and restore to a bleeding people the wonted blessings of honorable peace.

This hope was soon realized. The brevetted officers were kindly invited by the President to continue in service. They cheerfully complied. They were for some four or five years allowed to avail themselves of a sufficient staff for ordinary purposes. This was, however, at length reduced to one aid-de-camp, with an understanding, as it regards my own command, that when on duty, and having a command according to my brevet rank, I should continue to have two aids de camp. I have constantly had two aids de camp, who, I believe, have until recently received the pay and emoluments of the aids of a major general. One of my aids is required to act as assistant adjutant general. It is not possible, under these circumstances, to dispense with the services of an additional aid, without often delaying or neglecting important duties of my command, and devoting many of the hours of rest to the drudgery of copying and recording my own correspondence. When either of my aids have been sick, I have been compelled to do their duty, when my time could have been more usefully employed, on other duties more in accordance with my official station. Of late, however, I have been given to understand that my staff is to be reduced to one aid, and he is to receive the pay of the aid of a brigadier, and be required to discharge the duties of assistant adjutant general; and to complete the attempted triumph over the laws authorizing brevet rank, I have lately learned from an officer of the Treasury Department, that my junior aid-de-camp cannot be allowed the pay usually received by him, unless he is ordered or permitted by the general-in-chief to act as my aid-de-camp. In reference to these unprecedented assumptions, I have only to remark, that although I can probably do as well without a staff as any other officer of the army, yet this is not the question at issue; a cannon may be dragged along upon three wheels, or upon a sled without a wheel; and this may do well enough for a state of peace, if we could foresee the time when it would be necessary to have our cannon mounted on approved gun-carriages, so as to enable the army to understand their use when prepared for actual combat. I contend, that if it is necessary to retain in service an officer for the command of a brigade, it is necessary and proper that there should be a staff officer to do the duty of brigade major, or assistant adjutant general; and that there should be an aid-de-camp to do the duty usually devolving on that officer. No general

officer can do justice to the command of a brigade or division, without two staff officers, or two men, of business talents and business habits, to do the duties which have usually devolved on those officers. No matter what may be the clerical talents of the general or other officer having such command, if he is blessed with the capacity for such command, that capacity cannot be sustained by the habitual application of a great part of his time to the details of an office of orders and correspondence. His military mind would be extinguished without more time for reflection, and for the investigation of the various bearings and tendencies of every measure connected with his command, whether in reference to the geography or topography of the country, its military resources, personal and material, whether in service or out of service, and available for present or future emergencies. He must have leisure for these investigations, or he becomes a useless member of the army.

If, indeed, the compiler had no other means of judging of the necessary and proper duties of an officer of my rank and command, than the examination of the numerous orders forwarded to me during the last three or four years, he might well conclude that I had occasion for but one staff officer; those orders being for the most part confined to the subject of leaves of absence, such as I have long considered to be proper subjects for the consideration and action of the colonels of regiments and commandants of posts. If I had carefully abstained from doing anything but what I was expressly ordered to do, I never should have been, and never should be ready, for action. If, as the compiler seems to admit, I am entitled to a command according to my brevet rank, I am entitled to the aids and facilities necessary and proper for the efficient discharge of the duties of that command, independently of any interference on the part of the general-in-chief; indeed there is no more reason for my troubling the general-in-chief with an application for an aid-de-camp, or acting aid-de-camp, than that I should apply to him for a quarter guard, or for a vidette, on a campaign, to look out for an incendiary or an enemy. I have a right to either and to all of these, upon principles of military law. If it be otherwise, the general-in-chief can have no authority to allow me what is forbidden by law.

I object to article 3, because it is repugnant to the acts of Congress of the 6th July, 1812, and April, 1818; and, moreover, because it is repugnant to a vital principle of natural equity and justice, which secures to the long-tried and faithful laborer his promised compensation: a principle, the good effects of which were seen, and felt, and clearly demonstrated, in the course of the war, more especially in the year 1814; a principle which, to my certain knowledge, contributed much to dispel the gloom which a long succession of errors, and disorders, and disasters, was calculated to produce at that time, by arresting and controlling the fortune of war, and cheering the true-hearted citizen and soldier with a succession of victories calculated to insure, and which in fact did produce, an honorable peace. To the rank and file of the army the United States promised land; to the officers they promised brevet rank and brevet pay. The latter was deemed to be equal to the former; all were satisfied that these allowances were awarded in good faith, and would not be withheld or converted into an engine of favoritism, when the pressing occasion that first prompted them should subside. Similar tokens of public approbation and similar allowances of compensation must and will be awarded to those who voluntarily devote themselves to the defence of the republic. Let its defence be confided to those who will undertake to serve without compensation, and we shall be a free people no longer. I may be told our beloved Washington served without compensation; true, he did. But the world has produced but one Washington; and a retrospect of the official life and correspondence of that greatest and best of men

will show that no soldier or statesman has ever urged more strongly than Washington did the propriety of a faithful compliance with every promise or provision of law. Believing that any effort on the part of the Government or its agents, subsequent to war, to defeat the object, or restrict the beneficent provisions of the brevet laws to which I have referred, would be as unjust and as oppressive as it would be to attempt to take from the faithful non-commissioned officers or private soldiers of the war, the allowances of land awarded them; believing that the project of the new regulations under consideration will fail to render the army any thing but a useless burden upon the country, without they are revised and corrected so as to embrace the changes which I have proposed; and believing that with those changes the country may be immediately put in a posture of defence, by means that will repay to the Treasury every dollar expended in less than twenty years, and render the country impregnable in war, and give it unexampled prosperity in peace, it remains for me concisely to recapitulate.

I. I propose that provision be made for speedily calling the infantry regiments from the western frontier to the new fortifications on the seaboard and northern frontier; leaving the dragoons in charge of the defence of the western frontier.

II. I propose for the regiments of infantry to do duty in common with the regiments of artillery.

III. I propose that provision be made for establishing at the principal fortifications upon the five grand divisions of the National frontier, military labor schools, in order to perfect the officers, and to instruct the non-commissioned officers and private soldiers in all the practical duties of the service, including every arm; with the construction of field fortifications, and railroads, with railroad equipments. To have one of those military labor schools upon each one of the five grand divisions of the national frontier: for example, one at Plattsburgh; one at Portland, (Me.); one at Fort Delaware; one at Fort Monroe; and one at Pensacola.

IV. I propose that provision be made for enabling the Engineer department, with the aid of heavy details from the artillery and infantry, to locate railroads from the two central States of the valley of the Mississippi to each one of these five grand divisions of the national frontier; and with the aid of the military, as soon as practicable to construct the same.

V. I propose that provision be made for protecting the non-commissioned officers and private soldiers from outrage, and thus to pave the way for filling up the companies of the army by details from the militia, to be first educated at the military labor schools.

VI. I propose that paragraphs 1, 2, 3, 4, 5, and 9, of article 3, be stricken out; and in their place to be inserted the substance of the 61st and 62d Articles of War, the 4th section of the act of Congress of the 6th July, 1812, with the 1st section of the act of 16th April, 1818.

VII. I propose that provision be made for allowing double rations to all officers in command of detachments or temporary posts.

VIII. I propose that all salutes, and all honorary badges of distinction, to officers of the same grade when on duty, be the same: for example, the major generals each to receive the same number of guns, and each to have the same kind of uniform; the distinctions attempted in the new Book of Regulations being unprecedented, invidious, and, moreover, calculated to aim a blow of degradation at brevet rank.

All which is submitted to the proper authorities with due respect.

EDMUND P. GAINES,  
*Major General U. S. Army, commanding.*

To the ADJUTANT GENERAL,  
*United States Army, Washington city.*

H.  
NOTE.

Being convinced that more than nine-tenths of our conflicts with the Indians, during the last thirty-eight years, have arisen either directly or indirectly, from the lawless intercourse which has been suffered to exist between them and our licensed and unlicensed traders, which has resulted in constant scenes of drunkenness and fraud, from which the Indian awakens only to find himself stripped of every necessary and comfort of life, to feel himself disgraced and degraded to the condition of a miserable dog, bound to see his wife and naked children starve, and himself to hunt furs and peltries to satisfy the fraudulent demands of the pitiless author of his degradation; and ultimately to consent to any sort of a patched up agreement, called "*treaty*," by which his home is sold, and the proceeds, to a great extent, put into the pocket of that self-same author of his ruin. And if, in all this process of legalized fraud and treachery on the part of the trader, the miserable Indian falls into acts of violence such as the laws of nature and of nations, and even our own municipal laws, would characterize as acts of violence under aggravated circumstances of provocation, and short of the crime of deliberate murder, the perpetrator, and often many of his unoffending countrymen, are doomed to suffer; and thus all the evils of war ensue.

To obviate these great and growing evils, it is indispensable that martial law, in respect to all white men and negroes, be extended to every part of the frontier, and throughout the Indian country; and that all Indians found on our side of the boundary line should also be subjected to martial law; and that a few companies of mounted infantry or dragoons, be held in readiness, as a part of the disposable force of each military post to arrest and imprison all white men and negroes beyond the boundary, and all Indians found on our side of it.

Without some such provision of law, rigidly enforced, we shall never have a cordon of posts separating the Indians from that class of white and colored people who respect no law. And without such a line of complete separation, we had better nullify all our treaties, and repeal all laws upon the subject; inasmuch as our existing laws, *never enforced*, tend but to restrain the virtuous citizens, and to give to the vicious a complete monopoly of the prohibited and fraudulent trade.

I recommend the perpetual exercise of martial law, as above proposed, not only for the reasons just now assigned, but because the whole subject of our Indian affairs is necessarily thrown into the hands of our military commandants during a *state of war*; and, as this is inevitable in war, it is essential in a *state of peace, preparatory to war*.

If this proposition should be objected to, upon the ground that it will be placing too much power in the hands of the military commandants upon the frontier, I may, with perfect propriety, declare that the same objection would apply as well to any law tending in a state of peace to prepare us for war. Under existing laws and regulations, our Indian affairs are, I make no doubt, as well attended to in a *state of peace*, as inappropriate laws and regulations, with agents either inexperienced or (if experienced) *fettered by onerous restrictions*, would reasonably permit; but, then, on the approach of war, the whole subject is thrown into the hands of our military commandants; they are unavoidably deprived of that intimate knowledge of the state of the Indian department, and of the chiefs, interpreters, and warriors, which I deem necessary to a clear understanding of the character of the nation with whom we are thus suddenly involved in war, without which information our commandants, though authorized by the change of circumstances from peace to war, to treat with these nations, would be unable to do them or the United States justice. And of the new duties thus devolving on them, as superintendents of Indian affairs, much would be to learn: at a time, too, when the attention of the commandants would be occupied with important duties strictly military.

It is important to the effective defence of the country that every commandant, and every officer, and, if possible, every soldier, should not only understand the topography of the country occupied by the enemy, or likely to become the theatre of the war, but also the character of the enemy. This information should be obtained, by means of as frequent intercourse as practicable, in time of peace.

I will avail myself of this note to add the copy of a letter from the chiefs of the Pottawatamie nation, dated near Council Bluffs, the 5th of February, 1838, and received since closing my report. Their wish to have a trader of their own selection, and to exclude all other traders, is reasonable, and ought to be granted. Prompt attention to all their requests, with authority to the neighboring commandants to comply with all their reasonable wishes, would very soon convert the distrust and deadly enmity of most of our Indian neighbors into a confiding friendliness, such as the best interests and honor of our country would seem to prompt us to excite and cherish in all our intercourse with them.

EDMUND P. GAINES.

NEAR COUNCIL BLUFFS,  
Camp Kearny, February 5, 1838.

SIR: You were present last July when a council was held by the chiefs and headmen of our nation relative to our selecting of a trader to accompany us into our new country. We then expressed our wish that we should have no other but such as we would select, and, if we found one not sufficient, we would select another; and, under those considerations, did not, at that time, wish any license granted to any man or company of men to come into our country to trade, nor do we yet wish any license granted to any company of men or any one man. We are satisfied with the arrangement made at Fort Leavenworth with our trader, and wish to support our national word so far as we can; and we would petition our great father, the President, to give such instruction to all of his superintendents, agents, and sub-agents, that may have any thing to do with us, not to grant any license to any person or persons to trade in our country without our consent; and we further request that, in case of any license being granted to any other person except the one we have selected, that they may be revoked immediately. We are fully persuaded that the man we have brought with us lies within the bounds of the law regulating the intercourse with the Indians; we know he does not sell liquor to our people, and we feel confident that he never will; we also know it is our great father's, the President's, wish that no spirituous liquors should come into our country; and if we have but one trader, we can guard against him having it to sell; but if we have two or more, it will be difficult to keep it out of our country. We are fully apprized of the bad effect spirits has had among our people, and know that it causes poverty, famine, and oftentimes murder and death. Under all these serious difficulties, we would petition you, as our great father's, the President's, war chief, to aid and assist us in having our wish complied with; we ask you, as a friend, to write to our great father the President, upon this subject, and inform us, as soon as possible, what he decides upon. We live here near several nations of Indians who have, more or less, liquor among them; and we know not what time it may be introduced into our country by traders. We are all fully apprized of the powerful sway and influence some companies have in the Indian country, and we wish to show our great father, the President, that we are trying to make one step towards civilization, by keeping out all companies or persons who are in the habit of selling spirituous liquors to the red man; and, if we can effect it, it will encourage us to make one more step, and so, by degrees, to become civilized.

We are also fully apprized of the bad effects of the crediting of our people by so many traders, and know that they do sustain great loss by us; and we want all of us to pay our just debts; but, when we are intoxicated, we are persuaded to go in debt at high prices, which we otherwise would not, if we were sober. We feel oppressed, under those circumstances, that we have not the right to regulate our trade. We have also found out, by examination, that we are scarce of timber in our country, and wish to preserve it as much as possible, and by letting more traders come into our country, they destroy a great

quantity of our timber. We see how much it takes to fix a trader with houses, and to enclose a small field; and we would wish to have no more to come into this our country.

We pray you to excuse the simplicity of our communication on so important an affair; but knowing you to be inimical to ardent liquors to be introduced into any Indian country,

We are, respectfully,

Your most obedient humble servants,

B. CALDWELL,  
PAT-TE-CO-SHUCK,  
AB-BE-TA-KE-SICK,  
CHAM-BEE-NEE.

Major General GAINES.

HEAD QR'S, WESTERN DIVISION.—A true copy:  
W. POTTER, A. D. C.

#### ORIGINAL POETRY.

The following beautiful lines on the melancholy fate of a noble ship and her daring crew, have never before appeared in print. They were written in 1815 or 1816, by a highly gifted and accomplished young lady, for several years a resident of the District of Columbia, but now no more.

TO THE MEMORY OF THE OFFICERS  
OF THE U. S. SLOOP OF WAR WASP,  
*Lost at sea in 1814.*

BY MISS C. W. B., OF NEWBURYPORT, MASS.

No more shall BLAKELEY's thunder roar,  
Along the stormy deep,  
Far distant from Columbia's shore,  
His tombless ruins sleep.  
Yet long Columbia's son's shall tell,  
How BLAKELEY fought—how BLAKELEY fell.

Though long on foamy billows cast,  
The battle's fury braved,  
And still unsullied on thy mast,  
The starry banner waved,  
Unconquered shall Columbia be,  
While she can boast of sons like thee.

Oh! sleep—the battle's rage no more  
Shall animate thy breast,  
No sound on Lethe's silent shore,  
Disturbs the warrior's rest;  
No wave molests its peaceful tide,  
No navies on its waters ride.

Nor will the muse refuse a tear,  
O'er REILLY's corse to flow;  
Or one less generous and sincere,  
On TILLINGHAST bestow.  
Farewell! no warlike sound again  
Shall rouse you from the watery main.

And shall the oblivious waves that roll  
O'er BAURY's lifeless breast,  
Drown the remembrance of that soul,  
That asked no other rest?  
No! ocean shrouds thy earthly part—  
Thy deepest grave is in the heart.

Still in our hearts, by love illumined,  
The gentle CLARKE is urned,  
Whose hand was prompt to heal the wound,  
His pitying spirit mourned.  
Farewell! thou hast nor night nor morn,  
Nor requiem, save the howling storm.

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#### WASHINGTON CITY; THURSDAY, ..... MAY 24, 1838.

THE MARINE CORPS.—The increasing demands upon the services of this valuable corps have at length impressed upon Congress the necessity of its augmentation. As the growth of our population and the expansion of our commerce call for the employment of a greater naval force, so must the Marine Corps, as a branch of the naval service, be increased in a corresponding ratio.

Attempts have been made to abolish the corps as unnecessary, on the score that its place might be supplied on ship board by instructing seamen in the use of small arms, and at navy yards by employing watchmen; but the experience and the advice of a large majority of naval officers are entirely opposed to any such change. On the contrary, they give unqualified testimony as to the services and utility of the corps.

The Marines have borne a distinguished share in the achievement of all our naval victories. Whether we view their conduct at sea or on the land, it is equally entitled to our approbation, and will bear a comparison with any other arm of service. At the storming of Derne, in boarding the gunboats at Tripoli, in the action of Bladensburg, in the expedition to Qualla Battoo, and in the recent campaigns in Florida and the Creek nation, we find the Marines acting a conspicuous and honorable part. Not an instance can be pointed to in our history, in which the Marines have behaved in action otherwise than in a gallant manner.

With the present limited organization of the corps, it is impossible to maintain that discipline and efficiency so essential to the welfare of the naval service. There are but few Marines at any of the navy yards—at Norfolk none at all—and at other places scarcely a sufficient number to carry into effect the company, much less the battalion drill. Some of our men of war go to sea without officers, or short of their complement; the frigate Columbia took but one lieutenant, and the John Adams had no commissioned officer. At all the navy yards they are obliged to hire watchmen; this irregular species of force, not being subject to martial law, is, in reality, good for nothing. If they commit an offence, or neglect their duty, all that can be done is to discharge them. The sooner, therefore, they are dispensed with, and full and efficient guards substituted, the better.

The bill for the augmentation of the Marine Corps, (which will be found subjoined,) reported in the House on the 18th March, and in the Senate, on the 11th inst., will, if it become a law, supply existing deficiencies in point of numbers, infuse new life and spirit into the corps, and be no more than a just reward to those officers who have been so long and advantageously connected with it.

The first section of this bill contains an anomalous feature, which we take the liberty to point out, with the hope that it may be corrected before its final passage: it provides for "the appointment of \*\*\*\*\* six sergeant majors, six quartermaster sergeants, 80 ser-

geants, 80 corporals, and 1,000 privates." Now all military men know that the non-commissioned, rank and file of an army, are *enlisted*, not *appointed*. This error may be corrected by adding, after the words "ten second lieutenants," the words "and by the enlistment of." It is but another evidence of the haste and carelessness too common in the action of our legislative bodies.

**A BILL** for the augmentation of the United States Marine Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That from and after the passage of this act, the marine corps shall be augmented by the appointment of one brigadier general, seven captains, ten first lieutenants, ten second lieutenants, six sergeant majors, six quartermaster sergeants, eighty sergeants, eighty corporals, thirty drummers, thirty fifers, and one thousand privates.

**SEC. 2.** *And be it further enacted,* That the President of the United States be, and he is hereby authorized to appoint five assistant quartermasters, to be taken from the captains or subalterns of the line, who shall receive the same compensation that assistant quartermasters in the army of the United States now or may hereafter receive.

**SEC. 3.** *And be it further enacted,* That the brigadier general shall be entitled to one aid-de-camp, to be taken from the subalterns of the line, who shall receive the same compensation as an aid-de-camp to a brigadier general in the army.

**SEC. 4.** *And be it further enacted,* That from and after the passage of this act, the recruits in the marine corps shall receive the same bounty that the recruits in the army now or may hereafter receive; and that the duration of their enlistment shall be for five years.

**SEC. 5.** *And be it further enacted,* That the President of the United States may, during the recess of the Senate, first by promotion according to rank, and then by selections, appoint the additional officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

A Court Martial was convened at the Marine Barracks, Brooklyn, N. Y., on the 16th ult., for the trial of 2d Lieut. JOHN P. DIETERICH, of the Marine Corps, on charges of disobedience of orders, and conduct unbecoming an officer.

The Court was composed of

Bvt. Lieut. Col. CHARLES R. BROOM, President.

Captains John Harris, Benjamin Macomber, A. N. Brevoort; Lieutenants Alvin Edson, Geo. W. Robbins, and Isaac T. Doughty, Members. John McKeon, Esq., Judge Advocate.

The accused was found guilty of the charges, and sentenced to be cashiered. Sentence approved, April 27, 1838.

Public documents accumulate upon our hands much faster than we can make room for them. They shall receive attention in order. It is not often that we devote as great a space to any one document as that recently occupied by the report of General GAINES on the defence of the Western frontier, but the importance of the subject, and the views of so experienced an officer, seemed to warrant it.

The body of Col. FOWLE was found near Madison, Indiana, on Sunday, 13th inst. His commission, about \$500 in Treasury notes, and a valuable gold watch, were found upon his person. It was intended that he should be buried with the military honors due to his rank.

#### APPOINTMENTS BY THE PRESIDENT, *By and with the advice and consent of the Senate.*

JOHN LAIGHTON to be Navy Agent for the port of Portsmouth, N. H., for four years from the 27th April, 1838, when his former commission expired.

I. R. WILSON, of Georgia, to be a second lieutenant in the Marine Corps, May 10, 1838.

Major Gen. GAINES arrived at Mobile on Thursday, 3d inst., on a visit to a part of his family residing in that city. He left again on the 5th for Jefferson Barracks, via New Orleans.

#### ARRIVALS AT WASHINGTON.

May 15—Capt. C. Thomas, 7th Infy.	Gadsby's.
17—Major M. P. Lomax, 3d Arty.	Brown's.
18—Paymaster D. Randall,	H. K. Randall's.
19—Capt. W. Seawell, 7th Infy.	Georgetown.
Major R. L. Baker, Ordnance,	Gadsby's.
21—Lieut. H. McKavett, 7th Infy.	Fuller's.

#### PASSENGERS.

SAVANNAH, May 9, per steamboat Camden, from Black creek, Lieut. Winder, of the army.

Per steamboat Charleston, from Garey's Ferry, Col. Crane, Capt. Drane, Lieuts. Jones, Townsend, Shackleford, Arnold, of the army.

May 11, per revenue cutter Campbell, from St. Augustine, Lieut. Irwin, Lieut. Magruder, U. S. A., Lieut. McLaughlin, U. S. N.

NEW ORLEANS, May 1, per brig Pilgrim, from Tampa Bay, Col. Davenport, Capt. Haulley, Capt. Young, Capt. Waters, Lieut. Jones, 69 Philadelphia volunteers, one Indian, and four servants.

CHARLESTON, May 11, per ship John Cumming, from New York, Capt. G. Morris, Lieut. Larned, and 150 U. S. troops, destined for the Cherokee nation.

May 13, per steamer Poinsett, from Black Creek, via Savannah, Col. Bankhead, Capt. Galt, Lieut. Irwin, Lieut. Magruder, Lieut. Phelps, U. S. A., Lieut. McLaughlin, U. S. Navy.

Per steam packet North Carolina, for Wilmington, Capt. Winder, of the army.

NEW YORK, May 15, per ship Silvie de Grasse, from Havre, Lieut. J. A. Dahlgren, Mid. A. H. Cass, and Mid. J. W. Bryce, of the Navy. Per brig Otranto, from New Orleans, Commander Mervine of the Navy, and son. Per brig Peri, from Mobile, Mid. M. C. Watkins, of the Navy.

#### COMMUNICATIONS.

##### THE LATE LIEUT. COL. FOWLE.

At an adjourned meeting of the officers of the Military Academy, convened for the purpose of giving expression to their feelings on the occasion of the death of Colonel JOHN FOWLE, it was unanimously

*Resolved*, That the officers of this Institution have heard with sincere regret of the death of Col. J. Fowle, of the 6th regiment of infantry.

*Resolved*, That in his recent departure from among them to join his regiment in Florida, Col. FOWLE took with him their warm personal regards, which were secured to him by his eminent private virtues.

*Resolved*, That in the death of Col. FOWLE they believe the army to have lost one of its most distinguished officers, and society a most estimable and worthy member.

*Resolved*, That their heartfelt sympathy and condolence for their bereavement be tendered to the family of their deceased comrade.

*Resolved*, That, in testimony of their estimation of the public services and private worth of the deceased, military mourning be worn for his memory by the officers of this Institution for thirty days.

*Resolved*, That the Superintendent of the Military Academy be requested to forward a copy of these proceedings to the family of their departed friend, and to cause the same to be inserted in the Army and Navy Chronicle, the Alexandria Gazette, and one of the Boston papers. R. E. DE RUSSY, Sup't M. A. D. H. MAHAN, Secretary. President.

## NAVAL ARCHITECTURE.

PENSACOLA, May 4, 1838.

Mr. EDITOR: Your correspondent B. B. at New York, has an excellent article on Naval Architecture in the Army and Navy Chronicle of the 19th ult., I read it with a great deal of satisfaction, but do not see clearly the connection of his general remarks with the last paragraph but one. I sent you the article "on the stowage of ships," because it appeared to me to be worth an insertion in your paper, and I had not met with it in any paper *previous* to noticing it in Morgan and Creuze's work. I was not aware that it had appeared in 1835, in the Military and Naval Magazine, and see no reason why it might not be useful to some extent, though published *twice* in three years.

I take occasion to say, that in all that I have written myself, or selected, for the Army and Navy Chronicle, my desire has been to correct abuses, and amend the service thereby. I am not disposed to play the *critic*, for that would be no difficult matter, even with the writings of B. B. I shall be happy to unite with him in the work of reform; *that is my aim*, his may be something more. Yours, &c., M. N. K.

## STEAM SHIP FULTON.

Mr. EDITOR: Your last number, of the 17th inst. announces the arrival of the U. S. steam ship Fulton, and I understand a large party of gentlemen descended the river in her on Saturday last, for the purpose of witnessing her performance.

As some persons seem to hold the opinion that this vessel is a failure, cannot one of your "valuable correspondents" spare time to give the history of this ship, her construction, force, (guns and men,) her dimensions, tonnage, power of her engine, speed, and generally such information as would be gratifying to the public, who are always interested in the navy and its administration.

## A FRIEND TO THE NAVY.

May 21, 1838.

PROCEEDINGS OF CONGRESS,  
IN RELATION TO THE ARMY, NAVY, &c.

## SENATE.

## THURSDAY, APRIL 12.

On motion of Mr. WALL, the report of Captain Kearny and others, on certain coast surveys, was referred, and ordered to be printed.

## TUESDAY, APRIL 24.

Mr. RIVES, from the Committee on Naval Affairs, reported a bill to regulate the pay of Masters in the navy.

## WEDNESDAY, APRIL 25.

Mr. BENTON presented, from the Committee on Military Affairs, a joint resolution authorizing the purchase by the United States' Government of the Island at the entrance of the St. Peters and Mississippi rivers. Laid upon the table.

## FRIDAY, APRIL 27.

On motion of Mr. WHITE, the bill to provide for the security and protection of the emigrant and other Indians west of the States of Missouri and Arkansas was taken up, and debated; but the Senate adjourned without coming to any decision upon it.

On motion of Mr. WILLIAMS,

*Resolved*, That the Committee on Naval Affairs, be instructed to inquire into the expediency of repealing, or modifying, an act for the more equitable administration of the navy pension fund, passed March 3, 1837, with leave to report by bill or otherwise.

Mr. BENTON, from the Committee on Military Affairs, reported a bill to authorize payment to be made to the Missouri volunteers, for their services in 1829 and 1836; read, and ordered to a second reading.

## MONDAY, APRIL 30.

## NEOSHO TERRITORY.

The Senate resumed the consideration of the bill to provide for the security and protection of the emigrant and other Indians west of the States of Missouri and Arkansas, the question being on the amendment proposed

by Mr. KING to set apart the territory of the United States north of the Missouri and west of the Mississippi, to which the Indian title has been extinguished, for the northern Indians.

The bill was ordered to be engrossed for a third reading—yeas 38, nays 6.

## WEDNESDAY, MAY 2.

The VICE PRESIDENT communicated to the Senate, in obedience to a resolution, a statement showing the fortifications which were commenced and completed; laid on the table, and ordered to be printed.

The bill to provide for the security and protection of the emigrant and other Indians west of the States of Missouri and Arkansas, was read the third time.

On motion of Mr. LINN, and by general consent, the bill was amended, by substituting the original name of "Indian Territory," for "Neosho Territory."

The bill was then passed—yeas 39, nays 6.

## MONDAY, MAY 7.

## TEMPERANCE IN THE ARMY.

Mr. WEBSTER rose and said he had particular pleasure in presenting the memorial of certain officers of the army, praying Congress to repeal a part of the law which allows whiskey to soldiers on fatigue duty. These persons, most competent certainly to judge, are of opinion that this allowance should be discontinued. They think the substitute provided for other cases would be most usefully applied to this also. So decisive a testimonial in favor of the great cause of temperance ought to have much weight. If ardent spirits may be beneficially and usefully dispensed with by soldiers on fatigue duty, it would be difficult to maintain the necessity of their use by persons in any occupation or employment. Mr. W. said the petition was short, and, in order to give it its proper effect and consideration, he would move that it be printed, and that it be referred to the committee on military affairs. The petition was as follows:

*To the Honorable Senators and Representatives of the United States in Congress assembled:* The undersigned, officers of the United States army, beg leave respectfully to represent that, in their opinion, the substitution of sugar and coffee for the whiskey part of the ration allowed to soldiers, has been productive of great good to the service, and also the means of preserving the health, efficiency, and happiness, and frequently affecting the moral reformation of that part of our army. And sincerely believing that the gill of whiskey, still allowed to men on fatigue duty, by the act of Congress passed March 2, 1819, not only fails to answer the end for which it was granted, but contributes in a great degree to form and keep alive habits of intemperance, the legitimate results of which are insubordination, disease, and crime, we therefore respectfully and ardently petition your honorable body to repeal as much of said act as relates to the subject.

L. A. BIRDSALL,  
Assistant Surgeon U. S. Army.

A. G. BLANCHARD,

1st Lieut. 3d Regiment U. S. Infy.

I. H. EATON,

2d Lieut. 3d Infantry U. S. A.

Camp on Sabine Lake, La., Feb. 28, 1838.

The petition was referred to the committee on military affairs, and ordered to be printed.

## HOUSE OF REPRESENTATIVES.

## SATURDAY, APRIL 21.

Mr. WORRINGTON, from the Committee on Commerce, reported the following resolution, which was considered and agreed to:

*Resolved*, That the memorial of David Melville, together with the several papers therein contained, praying an appropriation sufficient to enable him to make a trial of the plan proposed as an immediate remedy for the defects of the lights now in use in the light houses in the United States, be referred to the Secretary of the Treasury, and that the committee be discharged from the further consideration of the same."

The joint resolution of the House, authorizing the Secretary of War to purchase a site in the District of Columbia for a new powder magazine and keeper's house, was read a third time and passed.

## THURSDAY, APRIL 26.

The SPEAKER laid before the House a letter from the Secretary of the Navy, correcting an error in his report of the 16th of March, in obedience to the order of the

House of the 19th February, as to the date of the appointment of the members of the Scientific Corps of the Exploring Expedition.

FRIDAY, APRIL 27.

Mr. SERGEANT, on leave, presented some resolutions of the councils of the city of Philadelphia, in favor of the construction of a dry dock at that place; which were referred to the Committee on Naval Affairs.

SATURDAY, APRIL 28.

Mr. HAMMOND presented the proceedings of a meeting, and a memorial, from citizens of Lycoming county, Pa., recommending Lockhaven, in said county, as a suitable site for the establishment of a National Foundry: referred to the select committee on that subject.

TUESDAY, MAY 1.

The SPEAKER laid before the House a communication from the Secretary of War, transmitting information in obedience to the resolution of the 16th ult., relating to the selection of sites for military posts on the western frontier of Arkansas and Missouri.

On motion of Mr. HUNTER, of Ohio,

*Resolved*, That the Secretary of War lay before this House the report and survey of the harbor of Sandusky, made by Lieut. Campbell Graham, in 1825.

On motion of Mr. H. JOHNSON,

*Resolved*, That the Secretary of War communicate to this House a copy of the report of Major Belknap, of the 3d regiment of infantry, with respect to the removal of the obstructions to the navigation of the Sabine river.

THURSDAY, MAY 3.

The SPEAKER laid before the House three Executive communications, transmitting

1. A report from the Secretary of State, in answer to that part of the resolution of the 9th ultimo, requesting the communication of all correspondence with any foreign Government in regard to the title or occupation of the territory of the United States beyond the Rocky mountains.

Mr. CUSHING moved that the consideration of this message be postponed until this day week, and that it be printed. Agreed to.

2. A report and accompanying documents from the acting Secretary of War, which contains the information required by the resolution of the 16th ult., respecting the officers of the Corps of Engineers, the works upon which they have been engaged during the last year, and the other matters embraced in the resolution.

Laid on the table.

3. A report of the Secretary of State, communicating a copy of a note from the Mexican Minister, with an accompanying document, in reference to the attack alleged to have been made by a Mexican armed vessel upon an American steamboat, which have been received at the Department since the date of the former report.

Referred to the Committee on Foreign Affairs.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report from the Second Auditor, of accounts of persons charged with the disbursement of money, goods, &c., for the benefit of the Indians, for the year ending September 30, 1837. Laid on the table.

The bill from the Senate, to provide for the security and protection of the emigrant and other Indians west of the States of Arkansas and Missouri, was read twice, and referred to the Committee on Indian Affairs.

#### DOMESTIC INTELLIGENCE.

##### FLORIDA WAR.

*Correspondence of the N. Y. Journal of Commerce.*

I have before me several letters of late date from Florida, some extracts from which I give to show the state of things there.

TAMPA BAY, Fla., April 19, 1838.—Gen. Jesup arrived here on the morning of the 16th, from the Kissimmee country and beyond. He is in bad health; yesterday confined to his bed. He is exhausted by continued anxiety and bodily labor. It is not likely that he will remain here longer than is absolutely necessary for him to recruit his health a little, for matters go on so badly on the Suwannee frontier, that he will repair there as soon as possible.

Lieutenant Linnard arrived here last night from Micanopy, and informs us that within the last month

as many as twenty settlers have been killed by the Indians, and that, in consequence, the farms have been abandoned and the people are running into the Forts.

Colonel Taylor is still on the Kissimmee, and, by last advices, was carrying on negotiations with Alligator, &c., and preparing to withdraw the troops from that quarter. A few days heavy rain would almost cut off the return of the troops from beyond Tea Creek.

The 6th Infantry has gone to St. Marks, to aid in defending the advanced settlements in that neighborhood. A few more moves, and all will be quiet until next fall, except the occasional shriek of some unfortunate express rider or squatter.

I am told that 1,300, of all ages, sexes, and colors, have been removed already, including between three and four hundred warriors. This is something, but not much to brag of.

The Chattahoochee, Alabama, or Tennessee rivers, would carry stores towards the new theatre of war, and the provisions in the territory now are so much superior to what is prepared in the west, that it would be well to feed the Cherokee army from Florida. No doubt the pioneers who are preparing in that region for the harvest of contracts, &c. &c., will be greatly disappointed.

TAMPA BAY, Fla., April 27, 1838.—We have received the order for the removal of the artillery, &c., to the Cherokee country, and putting Gen. Taylor in command. By the way, I may mention that the promotion of Colonel Taylor has given general satisfaction. He deserved it for his courage, and, I may add, good judgment. His battle, though a dear one, produced a proportional effect, and has greatly contributed to the ending of the business.

BLACK CREEK, E. F., April 30, 1838.—Alligator, with upwards of 150 of his people, had come in at Pease Creek, and in the vicinity of Charlotte Harbor, about 130 have given themselves up for emigration, making, with those previously sent away, since the commencement of the last campaign, near 1,600 souls. The war is literally ended; it is almost certain that the few Indians who are out will all gradually come in. Some will doubtless remain in scattered parties in different sections of the Territory; but I have no idea that they can concentrate a sufficient number of warriors to resist even a scouting party. The plan of the campaign was most happily conceived, and as successfully prosecuted, as it was in the power of men to do.

You must not believe in the murders and accounts of excitement, &c., which you see, daily, published. Those reports are gotten up by interested individuals, who are anxious to bring in some of the Territorial Volunteers, who will fob the money of Uncle Sam, and eat the bread of idleness.

The troops are now concentrating, to push on to the Cherokee nation. The 1st and 4th artillery, and 4th infantry, will go via Charleston, S. C.—and the 2d and 3d artillery via New Orleans, &c.

SAVANNAH, May 12.—From an officer of the army who arrived yesterday from St. Augustine in the revenue cutter Campbell, Capt. Coste, we hear that Col. Harney had a sharp skirmish with Sam Jones on the 27th ult., about 20 miles below Key Biscayne. Sam Jones fled with his followers, a large proportion of whom were women and children, into the everglades, before Col. H. could come up with him. One squaw was captured, from whom Col. H. learned that Sam Jones had made a junction with the Spanish Indians on the Keys, and that his party consisted of 35 Mickasukies, and 27 Seminoles; that Haleck Hadjo, of Tuskegee's tribe, who had been sent out to bring in the Seminoles attached to Sam Jones' party, had been shot by Sam Jones, which occasioned a serious difference between the Mickasukies and the Seminoles. Col. H. again started on the

30th, with ten days' provisions, in pursuit of Sam Jones, and had under his command one company of dragoons, and five companies of artillery.—*Georgian*.

**SAVANNAH**, May 14.—To Capt. Trathen, of the U. S. steamer Poinsett, arrived at this port on Saturday from Black Creek, E. F., we are indebted for the Jacksonville Courier of Thursday last.

Five companies of the fourth regiment U. S. Artillery arrived in the steamers Poinsett and Santee, on their way to the Cherokee country, accompanied by the following officers:

Col. Bankhead, Commanding; Lieut. Pickell, Adjutant; Doctor Tripler; Major Gardner; Lieutenants Bainbridge, J. H. Miller, Phelps, Drum, Thomas, Brent, Soley, Pemberton, Bradford.—*Ibid.*

**CHARLESTON**, May 14.—We learn from a passenger in the steamer Poinsett, from Black Creek, via Savannah, that about 330 Indians had gone in at Gen. Taylor's camp, with Alligator and Coacoochee at their head. Five companies of the 4th regiment of U. S. Artillery, arrived at Savannah on Saturday last, and proceeded immediately to the Cherokee country. Two companies left the day previous, and two more would leave in a few days.—*Courier*.

**CHARLESTON**, May 15.—The schooner Imperial, Capt. Rogers, from Tampa Bay, via Key West, for Old Point Comfort, put into this port yesterday for supplies. The Imperial has on board a detachment of invalids from the Florida army, under charge of Major Belton, and Dr. Henderson, U. S. A. They will proceed on their destination in a few days.—*Mercury*.

**PENSACOLA**, May 5.—The U. S. ship Boston sailed on a cruise on Thursday last, supposed to be destined to the coast of Mexico. The following is a list of her officers.

*Commander E. B. Babbitt; Lieutenants E. W. Moore, Wm. Radford; Acting do. J. F. Borden; Acting Master J. J. B. Walbach; Surgeon W. A. W. Spotswood; Purser P. A. Southall; Assistant Surgeon E. H. Conway; Passed Midshipman F. B. Renshaw; Midshipmen John C. Howell, John Rutledge, G. M. Comegys, J. H. Brown, W. S. Blanton, E. T. C. Judson, E. A. Weyman; Captain's Clerk, A. M. Tabb; Acting Gunner George Ellison; Acting Carpenter T. Reynolds; Gunner Jas. Dorman.*

The U. S. ship Vandalia also went to sea one day this week. We are seldom so fortunate as to get a list of her officers.—*Gazette*.

**COMMANDER MERVINE**.—We omitted to notice, at the proper time, the departure of this gentleman from the station. He was relieved in the command of the sloop of war Natchez by Commander PAGE, early in the last month. Captain M. has left many friends here. For our own part, we did not approve of the course he pursued towards the Mexican brig Urrea, and which had nearly involved the country in a war with Mexico; but after all, the most that can be said to his prejudice in that affair is, that acting upon sudden impulse, and without the possibility of getting competent advice, he went farther in vindicating our national rights than he was required to go. It is now very certain that whether the capture of the Urrea was, abstractly considered, right or wrong, it has been productive of the happiest effects upon our commercial relations with Mexico, and it has, perhaps, averted the very evil which, at first, it seemed to threaten. If the Mexican authorities had gone on a little further, unchecked by such an incident as the capture of the Urrea, their insolence would probably have soon made a war with Mexico necessary to the preservation of our national honor. If Captain Mervine erred, he erred where gallant spirits will be always found to err, on the side of energy and of his country. To fill the exact measure of official responsibility, and never to go beyond it, is the happiness of very few.

It is due to Captain M. to say, however, that there is much difference of opinion as to whether he erred at all. Many whose opinions are entitled to great deference think that the course which he pursued was strictly justifiable, according to the settled law of nations. Whatever may be the true view of the matter, there is no question that *he thought* he was doing right. We are proud to believe that Captain Mervine would scorn no less to do wrong than to suffer wrong to be done to himself or to his country. May he meet with smooth seas and favoring breezes through life, though few are more capable than he of standing up against the billow and the blast.—*Ibid.*

**NATIONAL COURTESIES**.—We were utterly confounded on Tuesday last by the report of one or two hundred guns in the harbor. That day, it seems, was the birth day, or saint's day, of the King of the French, and the French brig of war Eclipse, now lying here, fired a national salute on the occasion. This was responded to by each of the vessels of the squadron, who gave gun for gun. The first salute was fired at eight A. M., another at meridian, and a third at sundown.

Our friend of the St. Joseph Times designated Pensacola, the other day, as the Rip Van Winkle of Southern towns. Such a clatter as was kept up by the squadron in answering the Frenchman's salute, would have waked even the dead of "Sleepy Hollow."

We have heard several anecdotes illustrative of this usage, such as the following: Some years ago, one of our smallest vessels of war, commanded by an officer now on this station, had been waiting several days, in a foreign port, for a fair wind. This desideratum at length arrived on the morning of the 4th of July, on which day, at 12 o'clock, the Navy Regulations require all national vessels to fire a salute of thirteen guns. The schooner had got under weigh in the morning, and when the hour of firing the salute arrived, she was in the midst of a squadron of French ships of war; every one of which, as soon as our little friend had finished her thirteen guns, hoisted our national flag and returned gun for gun.—*Ibid.*

**PRISONERS OF WAR**.—General Gaines made application to the First Judicial District Court of this city for the release of a number of negroes, whom their masters from Florida had claimed and seized by virtue of a writ of sequestration. They were found among the Seminoles, when they surrendered, and were regarded as prisoners of war. Under these circumstances they were treated as members of the hostile tribe. Their owners, however, having heard of their capture, pursued them to New Orleans, and by the help of the law stopped their march to the Far West. The application of the General proved unsuccessful, the court having overruled the motion. The negroes will now remain in the custody of the sheriff, until the question of the ownership is decided. It appears to us that the Government merits some censure in this transaction. The fact is well known that many runaway negroes were among the Seminoles belonging to the planters in Florida and Georgia, and yet they are hurried off to the West without inquiry, or even giving their masters any opportunity to claim or identify them.—*New Orleans Bulletin*, May 10.

**SAVANNAH**, May 11.—The Steamboat Charleston, Captain Hebbard, arrived on Tuesday from Black Creek, with three companies of the 2d regiment U. S. artillery, under the command of Lieut. Col. Crane. The steamboat Forester, Capt. Drake, with three companies of U. S. Artillery, under the command of Lieut. Washington, arrived yesterday, and left in the steamboat Richmond (and tow boats) for Augusta, on their way to the Cherokee country, with the first

three companies, all under the command of Colonel Crane. The steamboat Camden, Capt. Mills, arrived on Tuesday, with a number of horses, mules, wagons, and teamsters, and proceeded by land to the same destination.—*Georgian*.

*From the Norfolk Beacon, May 17.*

The U. S. ships Macedonian and Relief arrived last evening in Hampton Roads from New York. The following is a list of their officers:

MACEDONIAN.

*Commander JAMES ARMSTRONG, Esqr. Lieutenants A. K. Long, James H. Rowan, Charles G. Hunter, Samuel Swartwout, William Lambert. Acting Master H. J. Hartstene. Capt. of Marines James Edelen. Purser Edward T. Dunn. Ass't Surgeon John L. Fox. Passed Midshipmen J. W. E. Reid, George M. Totten, James B. Lewis. Midshipmen J. P. Sanford, James L. Blair, J. C. Wait. Boatswain John Shannon. Gunner Gustavus Newman. Carpenter David Marple. Sail Maker S. B. Banister. Passenger Passed Mid. Overton Carr.*

SHIP RELIEF.

*Lt. Com. THOMAS A. DORNIN, Esq. Lieut. R. F. Pinkney; Acting Lieuts. J. B. Dale, Wm. L. Maury, Jas. H. North. Acting Master Geo. T. Sinclair. Acting Surgeon Edw. Gilchrist. Purser Wm. Speiden. Clerk Jas. R. Howison. Boatswain Wm. Black. Gunner — Anderson. Carpenter Wm. Leighton. Sailmaker S. V. Hawkins. Passenger Lt. Thomas T. Craven.*

Lieut. Col. JOHN FOWLE, of the U. S. army, who was one of the victims of the late fatal explosion of the steamboat Moselle, at Cincinnati, was an officer of great merit. During the last war with Great Britain he served as a company officer in "Scott's Brigade," than which a more efficient and well disciplined body of men never pushed a bayonet.—*Baltimore American*.

NEW ORLEANS, May 3.—The detachment of U. S. infantry under the command of Lieut. Hanson, U. S. army, recently arrived in ship Alabama from New York, departed Tuesday evening in the steamboat Atalanta for Baton Rouge.

Mrs. Capt. Morris, U. S. A., and family, were passengers in the same boat.—*Commercial Bulletin*.

THE SOLDIER'S RETURN.—Our fellow citizen, Gen. Smith, after a rugged tour of duty through the swamps and savannahs of Florida, has returned to the bosom of his family, having reached our city on the night before last. He appears in fine health, though somewhat reduced in flesh, from the fatigues of the campaign. The scene of his military operations was confined to the southern and western territories of Florida, below Charlotte's Harbor, whither he was sent with a detachment of three hundred men in pursuit of a body of Indians. He hemmed in and drove the enemy to the extremity of the Peninsula, till they could fly no farther and were glad at length to sue for peace. After a talk with the chiefs, the whole Indian camp, amounting to two hundred and twelve in number, came in and surrendered themselves prisoners of war. Having thus finished the campaign and the term of their enlistment having expired, Gen. Smith disbanded his forces and returned home, where he is greeted with the cordial welcome and high commendations which his arduous services rendered to the State so richly merit.—*Ibid.*

ST. LOUIS, May 4, 1838.—General Atkinson, who proceeded some three weeks since to the frontier, in consequence of the recent Osage disturbances, returned from Fort Leavenworth two days since. We learn through him, that Col. Kearny, who marched into the Osage country with 200 dragoons, immediately on the occurrence of the difficulties, had suc-

ceeded in amicably adjusting matters with the Osage nation, and that several of the offenders in the late depredations on the property of the whites, and in the conflict that resulted in the death of one white man and two Indians, (who were captured by Col. Kearny on his march,) had been punished with stripes by the nation, in presence of the troops. It is, however, thought necessary to keep a mounted force on the Osage frontier, during the summer, to range upon the line between the whites and Indians, and orders to this effect have been given.—*Daily Argus*.

ALBANY, May 14.—Gen. JOHN E. WOOL is in the city. This officer has been for some months in the discharge of delicate and responsible duties. He was ordered to the command of the Northern frontier at a period when our fellow citizens in this State and Vermont were not only warmly sympathizing with the Canadian patriots, but strongly inclined to participate in their struggle. Gen. Wool repaired to the North at a moment when the belligerents were coming into collision. He was without troops, and had only the power of appealing to the reason and judgment of his fellow-citizens. By his firmness and prudence, he succeeded in pacifying a highly excited community. Not a hostile blow was struck, and nothing occurred upon our long line of Northern frontier to compromise or embarrass our relations with England. In this, as on former occasions, Gen. Wool rendered good service to his country.—*Evening Journal*.

*From the London Sun.*

THE GREAT WESTERN STEAM-SHIP.

On Saturday the first experimental excursion of this magnificent vessel was made on the river with the most complete success. The engineers were engaged during the whole of the week in getting ready her stupendous machinery and paddle wheels, and the fires were lighted and the steam got up on Thursday and Friday, while the vessel was at her moorings. The working of the engines and the revolutions of the wheels having more than answered the expectations of the owners, on Saturday morning at eleven o'clock she got under weigh, and started from Blackwall on her first steam trip. The greatest interest was excited on the river, and the shores on both sides were crowded with spectators, who, when the wheels got fairly into motion, cheered loudly. Our readers have only to fancy a large man-of-war of 80 guns, without her usual warlike appearance, moved by the power of steam, and they will form some idea of the size of the "Great Western," the largest vessel propelled by steam which has yet made her appearance on the waters of Europe, her registered admeasurement being 1,604 tons; length 234 feet; breadth from out to out of the paddle boxes, 58 feet, and with engines and machinery of 450 horse power. She began to steer rather wildly at first, but the river pilot, Mr. Grundy, an able man, soon found out that the steersman was insufficient, and another man being placed at the wheel, she answered her helm as well as any steam ship in her majesty's service, and soon began to cut through the water at a spanking rate. All that could be wished either by her engineers or by her directors, was fully accomplished. She was accompanied by the Comet, a favorite Gravesend steamer, which was on her way down at the same time.

The Comet, which appeared a mere pygmy as compared with the Great Western, has been always considered a very fast going vessel; but, notwithstanding all the disadvantages attendant on the first trial of new machinery and engines, the Great Western beat the Comet, although the latter was obliged to cheat, (to use a river phrase,) by getting in shore, which the Great Western was unable to do, owing to her large draught of water, and also by shaving the points. The Comet not only did not gain upon

the Great Western, but as she ran down from Blackwall to Gravesend, the latter had increased her distance about half a mile. This is no bad criterion of the speed of the ship which is about to make the bold experiment of steaming across the Atlantic ocean. On her arrival off Gravesend, the town quay, terrace hill, and every spot commanding a view of the river, was crowded with people, who received the Great Western with loud cheers, as she passed this favorite watering place. The engines made 19 strokes per minute, which is equal to more than 17 miles per hour. The steam ship went sometimes 12 knots, and generally 11 1-2 knots per hour, which is equal to 14 statute miles. The Great Western proceeded three miles beyond Gravesend, and here an opportunity was afforded of ascertaining how she could be turned round. The order being given to turn her, and direct her head towards London, it was accomplished without difficulty, and the pilot expressed his satisfaction in warm terms, and said there was not a long steamer on the Thames which could have done it better. The Great Western reached her moorings at Blackwall shortly before four o'clock, and her re-appearance was hailed by the assembled multitudes in the same manner as at her departure. A number of engineers, ship builders, and scientific persons, accompanied the Great Western on her trial, and all expressed their perfect satisfaction at the result.

On her arrival at Blackwall she was visited by a great number of noblemen and gentlemen, and among the first who stepped on board to ascertain the success of the experimental trip was Lord Sandon, M. P. for Liverpool, who went over the vessel, and expressed himself highly pleased at the splendid decorations of the saloon, the beautiful compartment paintings by E. T. Paris, R. A., and the engines and machinery of the ship. The visitors soon began to arrive in such large numbers, that a clerk who was deputed to insert their names in a book, (which already contains the names of half the Lords and Commoners in Parliament, as well as all the principal merchants,) gave up the task, and inserted, "the people began to flock to the vessel in shoals, and four men, with as many books, would be unable to take down their names and addresses." The Great Western, as far as the ornamental decorations of her cabins and berths are concerned, is still unfinished, and there are more than 100 artificers on board completing the work, who had some difficulty in pursuing their labors, in consequence of the number of visitors. The most remarkable thing about the Great Western is her four masts, which, when rigged, will supercede the use of steam when the wind is favorable; and, as they are somewhat lower than the masts of other vessels of similar dimensions, will offer less resistance to the winds when they are adverse. There are four boilers, and the space below is so great, that passages are formed in which persons can walk between them without inconvenience, and many availed themselves of the offer made by Captain Hoskin, R. N., the commander, Mr. Patterson, the builder, and C. Claxton, Esq., R. N., the Managing Director of the Company, to visit the engine room, in which there is ample space to walk between the boilers, although the heat was insufferable, the novelty of the thing superceding all other considerations.

The boilers weigh about 95 tons, and hold 80 tons of water. Notwithstanding the large space devoted to the engines, boilers, and machinery of the vessel, the number of passengers' berths, making up 150 beds, besides cabins and sleeping places for officers and crew, there is room on board for 200 tons of cargo.

The Great Western will remain in the river for another week, to complete her fittings up and take in part of her coals, and she will then proceed to her native place, Bristol. She leaves Bristol for New

York on the 7th of April, and from the success which attended the first experimental cruise yesterday, we anticipate a favorable voyage across the Atlantic. The Williams, a coal brig with 470 tons of coals, is lying alongside the Great Western, and will discharge her cargo into the coal-bunkers of the steam-ship to-morrow. She will take in another ship load, 400 tons, at Bristol. The coal tanks are so disposed, that as fast as they are emptied during the voyage, they will be filled with sea water, the fuel and water alternately supplying the place of ballast.

#### FOREIGN INTELLIGENCE.

##### NOTICE.—BALTIC SEA.

The Hydrographic Section of the Marine Department makes known to navigators, that since the opening of the navigation in the year 1838, an ordinary signal buoy is placed at the northern extremities of the reefs of Perespe and of the land bank of Wikala, in the Gulf of Finland, and that the buoy with a flag, that was until now placed near the island of Eckholm, will be removed, as it has thus been rendered useless.

##### NOTICE TO MARINERS.

LIGHT AT ST. CATHARINE'S POINT, ISLE OF WIGHT.

*Trinity House, London, April 6.*

The Corporation having resolved to establish a Light House at St. Catharine's Point, in the Isle of Wight, and the construction of the necessary Tower having commenced, notice thereof is hereby given that the exhibition of the intended light therein will take place in the Spring of 1839. Mariners are to observe that this new light will be seen as a fixed bright light in all directions seaward, and that from the time of its exhibition, the light at the Needles Point will be discontinued as a channel light, and will not be visible to the southward of the line of bearing of St. Alban's Head. *By ORDER:*

*J. HERBERT, Secretary.*

**BRITISH ARMY IN AMERICA.**—The following is the proposed distribution of her Majesty's troops in North America, their number and strength.

**Halifax.**—The 23d, 73d, and 93d regiments, consisting of 500 men each.

**New Brunswick.**—The 11th and 65th regiments, consisting of 600 men each.

**Canada.**—The 1st Dragoon Guards, and 7th Hussars, consisting together of 500; the second battalions of the Grenadier and Coldstream Guards, consisting of 800 men each; the 1st, 15th, 20th, 24th, 32d, 34th, 43d, 66th, 71st, 83d, and 85th, foot, consisting of 600 men each.

The entire number of British troops in Canada will thus be seen to be 10,000 infantry and 500 cavalry, exclusive of artillery and engineers.

We understand that in consequence of information received by Sir John Colborne, of additional proofs of "sympathy" from Americans towards the rebels in Upper Canada, the remainder of the 83d regiment, under Lieutenant Colonel Dundas, are under marching orders for Kingston to-morrow morning.—*Montreal Herald, 3d.*

The Quebec official Gazette of the 3d instant, contains a Proclamation by Sir John Colborne, dated 27th April, declaring that Martial Law, which has been in force in the district of Montreal since the 5th December, should cease from the date of said Proclamation.

**ARRIVAL OF THE GUARDS AT QUEBEC.**—The Edinburgh, ship of the line, Inconstant and Apollo, frigates, and Athol, sloop of war, with 800 Grenadier and 800 Coldstream guards, with 65 officers, arrived at Quebec on Wednesday 9th inst., from Portsmouth, England. The guards are commanded by Sir James M'Donald, and were to land on Friday, 11th.

**THE BRITISH FRIGATE PIQUE.**—Fears are entertained at Quebec, for the safety of H. M. ship Pique, from Halifax, with troops on board. She was seen on the 28th of April, 70 miles east of Cape Ray, with ice all round her, by Capt. Neagle, of the barque *Stately*, which arrived on the 7th at that port.

**DANISH NAVY.**—The following is the strength of the Danish Navy, taken from their Navy List of February:—Seven of the line, four of which are of 84 guns; one of 94; two on the stocks; seven frigates, one of 48 guns, four of 46, and two of 40; six brigs, one of 18 guns, one of 16, and four of twelve; three schooners, one of 8, and two of 6 guns; three cutters, fifty-four gunboats, and three mortar boats.

**DEFEAT OF THE RUSSIANS BY THE CIRCASSIANS.**—We extract the following from the *Semaphore of Marseilles*, of the 14th ult: “ We have received a letter of the 28th ult. from Constantinople, from which we take the following passages:—The Circassians have just gained a complete victory. The Russian army is destroyed; all the works raised by the besiegers on the shore have been levelled to the earth. Thousands of Russians who have escaped from the carnage have taken refuge in Erzeroum. This has given rise to a report that they had taken forcible possession of the town.”

**TURKEY AND EGYPT.**—A report is current that a formidable expedition against Egypt is in contemplation, and that the Sultan, with the Sandiak Sheriff, will place himself at the head of it. It is added that Khosrew Pacha will represent the Sultan during his absence, and that Halil Pacha will accompany his father-in-law.

**“ATHENS, January 1st, 1838.**  
The royal ordinance concerning the organization of the Greek army has appeared. The following are some of its features. The effective force shall consist of 8,000 men, infantry, cavalry and artillery; not to be augmented unless by reason of some emergency. Every year 2,000 recruits shall be levied, to replace as many who may have quit the service. Duration of enlistment four years. Re-engagements are permitted. From the first levy of recruits, the following classes are excepted, viz: employees of the Government, students of the University, priests and married men. On the first levy shall be taken, men between the ages of 18 and 30. In subsequent levies they are to choose exclusively young men from 18 to 22 years of age. In the levies subsequent to the first, the exemption heretofore indicated shall not be regarded, it being the general maxim that every male inhabitant of Greece ought to satisfy these laws of enlistment; nevertheless, there are some exceptions from the military service, as those men who, from physical or mental deficiencies, are incapable of bearing arms; the only sons of aged parents; the tutors over young children; and the sons of widows. No one can serve in the Greek army, unless he is either a native born or naturalized Greek. The recruits may be admitted into the military schools, if they have an aptitude for the services which are taught there. They have the same rights to every grade, and to all the recompenses as volunteers actually in service. In future no one will be admitted as a volunteer in the ranks of the Greek army, unless he is a Greek subject by birth or naturalization.”

**NARRATIVE OF A VOYAGE ROUND THE WORLD IN 1835, 1836, and 1837.** By W. S. Ruschenberg, M. D., Surgeon to the Expedition. 2 volumes—*Bentley.*—A very curious and original work, containing a vast body of anecdotes connected with commerce, statistics, and manners of the people among whom the author travels.—*London United Service Gazette.*

## NAVY.

### ORDERS.

May 17—Surgeon E. L. Dubarry, steam ship *Fulton*.  
Surgeon L. B. Hunter, ship *Cyane*.  
P. Mid. E. Lanier and G. H. Scott, Navy Yard, Pensacola.

18—P. Ass't. Sur. W. L. Van Horn, Rec'g. ship, Norfolk.

19—Lieut. J. A. Russ, P. Mid. A. S. Baldwin, Mid. W. M. Wallace, E. T. Nichols, L. McLane, and C. R. Howard, Receiving ship, New York.

P. Mid. J. J. White, Rec'g. ship, Boston.

21—Lt. C. H. Jackson, P. Mid. J. E. Brown, do.

Lieut. W. G. Woolsey, Ordinary, N. York.

Lieut. A. K. Long, command of ship *Relief*.

P. Mid. E. C. Bowers, ship *Cyane*, as acting master, vice J. E. Brown, relieved at his own request.

### OFFICERS RELIEVED AND DETACHED.

May 19—Lt. W. D. Newman, f'm com'd of brig *Pioneer*.

21—Com'r. J. Armstrong, from frigate *Macedonian*.

Lt. T. A. Dornin, from ship *Relief*.

Lt. J. Glynn, from brig *Consort*.

Lt. W. G. Woolsey, from schr. *Active*.

### VESSELS REPORTED.

Ship *Erie*, Com'r. Ten Eyck, and brig *Porpoise*, Lt. Com'dt. Boyle, arrived at New York on Wednesday, 16th inst.

*Officers of the Erie*:—Commander A. S. Ten Eyck. Lieutenants J. S. Paine, Arthur Lewis, and Robert Handy. Acting Master John Mooney. Surgeon J. C. Spencer; Assistant do. J. Malcom Smith. Passed Midshipmen Henry J. Wingate, and L. B. Avery. Midshipmen C. Van Alstine, N. C. Bryant, W. H. Montgomery, J. J. Barry, B. N. Westcott, J. G. Strain.

Ships Boston, Com'r. Babbit, and *Vandalia*, Com'r. Gwinn, sailed from Pensacola on Thursday 3d inst.—the former bound to the coast of Mexico.

Ship *Concord*, Commander Fitzhugh, from Tampico, touched at the Balize, on the 4th inst., put \$71,000 in specie on board a tow boat, and proceeded to Pensacola.

Ship *Natchez*, Com'r. B. Page, off the Mississippi, on the 10th inst., bound to the coast of Texas and Mexico.

Frigate *Macedonian*, Com'r. Armstrong, and ship *Relief*, Lieut. Com'dt. Dornin, arrived in Hampton Roads, on Wednesday evening, 16th inst. from New York.

## MARRIAGES.

At New York, on the 15th inst., SAM'L. W. RUFF, M. D., of New Orleans, Surgeon U. S. Navy, to Miss HELEN, second daughter of the late JOHN DAVIS, Esq., of Maryland.

On the 21st inst., at New Castle, Del., by the Rev. JOHN DECKER, Capt. JOHN PAGE, U. S. army, to MARY E., daughter of C. D. BLANEY, Esq.

## DEATHS.

In Baltimore, on the 15th inst., Mrs. ANN P. BOULDEN, sister of Com. DAVID PORTER, aged 53 years.

At Saint Jago de Cuba, on the 3d of April, 1838, Dr. ANATOMARCHI, whose name is connected with the late days of the Emperor Napoleon, Dr. A. having been his physician at the Island of St. Helena.

Dr. Antomanchi left France about three years since for this country—his arrival in New Orleans was greeted with distinguished evidence of public honors. The City Councils and the people of New Orleans received the honored guest, and conducted him in a procession to his lodgings. After displaying his medical skill in New Orleans, by gratuitous devotion to the sufferers, Dr. A. travelled through Mexico, and was on his way to the United States, when he stopped at St. Jago de Cuba to visit his relatives in that city, where he was seized with the yellow fever, and in a few days fell a victim to that fatal disease.

In Darbyville, Ohio, Mr. GEORGE HILL, a native of Virginia, and a soldier of the Revolution, 85 years of age. He was one of the brave troops of horse commanded by Col. William Washington, and had his legs broken at the Eutaw springs; was in many severe engagements, but this was the only one in which he was wounded.